



General Assembly

February Session, 2020

***Raised Bill No. 5135***

LCO No. 1094



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:  
(PD)

***AN ACT CONCERNING THE REGULATION OF SIGNS BY ZONING COMMISSIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-2 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2020*):

3 (a) The zoning commission of each city, town or borough is  
4 authorized to regulate, within the limits of such municipality, the  
5 height, number of stories and size of buildings and other structures; the  
6 percentage of the area of the lot that may be occupied; the size of yards,  
7 courts and other open spaces; the density of population and the location  
8 and use of buildings, structures and land for trade, industry, residence  
9 or other purposes, including water-dependent uses, as defined in  
10 section 22a-93, and the height, size, location, brightness and  
11 illumination of [advertising] signs and billboards. Such bulk regulations  
12 may allow for cluster development, as defined in section 8-18. Such  
13 zoning commission may divide the municipality into districts of such  
14 number, shape and area as may be best suited to carry out the purposes  
15 of this chapter; and, within such districts, it may regulate the erection,

16 construction, reconstruction, alteration or use of buildings or structures  
17 and the use of land. All such regulations shall be uniform for each class  
18 or kind of buildings, structures or use of land throughout each district,  
19 but the regulations in one district may differ from those in another  
20 district, and may provide that certain classes or kinds of buildings,  
21 structures or uses of land are permitted only after obtaining a special  
22 permit or special exception from a zoning commission, planning  
23 commission, combined planning and zoning commission or zoning  
24 board of appeals, whichever commission or board the regulations may,  
25 notwithstanding any special act to the contrary, designate, subject to  
26 standards set forth in the regulations and to conditions necessary to  
27 protect the public health, safety, convenience and property values. Such  
28 regulations shall be made in accordance with a comprehensive plan and  
29 in adopting such regulations the commission shall consider the plan of  
30 conservation and development prepared under section 8-23. Such  
31 regulations shall be designed to lessen congestion in the streets; to  
32 secure safety from fire, panic, flood and other dangers; to promote  
33 health and the general welfare; to provide adequate light and air; to  
34 prevent the overcrowding of land; to avoid undue concentration of  
35 population and to facilitate the adequate provision for transportation,  
36 water, sewerage, schools, parks and other public requirements. Such  
37 regulations shall be made with reasonable consideration as to the  
38 character of the district and its peculiar suitability for particular uses  
39 and with a view to conserving the value of buildings and encouraging  
40 the most appropriate use of land throughout such municipality. Such  
41 regulations may, to the extent consistent with soil types, terrain,  
42 infrastructure capacity and the plan of conservation and development  
43 for the community, provide for cluster development, as defined in  
44 section 8-18, in residential zones. Such regulations shall also encourage  
45 the development of housing opportunities, including opportunities for  
46 multifamily dwellings, consistent with soil types, terrain and  
47 infrastructure capacity, for all residents of the municipality and the  
48 planning region in which the municipality is located, as designated by  
49 the Secretary of the Office of Policy and Management under section 16a-

50 4a. Such regulations shall also promote housing choice and economic  
51 diversity in housing, including housing for both low and moderate  
52 income households, and shall encourage the development of housing  
53 which will meet the housing needs identified in the state's consolidated  
54 plan for housing and community development prepared pursuant to  
55 section 8-37t and in the housing component and the other components  
56 of the state plan of conservation and development prepared pursuant to  
57 section 16a-26. Zoning regulations shall be made with reasonable  
58 consideration for their impact on agriculture, as defined in subsection  
59 (q) of section 1-1. Zoning regulations may be made with reasonable  
60 consideration for the protection of historic factors and shall be made  
61 with reasonable consideration for the protection of existing and  
62 potential public surface and ground drinking water supplies. On and  
63 after July 1, 1985, the regulations shall provide that proper provision be  
64 made for soil erosion and sediment control pursuant to section 22a-329.  
65 Such regulations may also encourage energy-efficient patterns of  
66 development, the use of solar and other renewable forms of energy, and  
67 energy conservation. The regulations may also provide for incentives  
68 for developers who use passive solar energy techniques, as defined in  
69 subsection (b) of section 8-25, in planning a residential subdivision  
70 development. The incentives may include, but not be limited to, cluster  
71 development, higher density development and performance standards  
72 for roads, sidewalks and underground facilities in the subdivision. Such  
73 regulations may provide for a municipal system for the creation of  
74 development rights and the permanent transfer of such development  
75 rights, which may include a system for the variance of density limits in  
76 connection with any such transfer. Such regulations may also provide  
77 for notice requirements in addition to those required by this chapter.  
78 Such regulations may provide for conditions on operations to collect  
79 spring water or well water, as defined in section 21a-150, including the  
80 time, place and manner of such operations. No such regulations shall  
81 prohibit the operation of any family child care home or group child care  
82 home in a residential zone. No such regulations shall prohibit the use of  
83 receptacles for the storage of items designated for recycling in

84 accordance with section 22a-241b or require that such receptacles  
85 comply with provisions for bulk or lot area, or similar provisions, except  
86 provisions for side yards, rear yards and front yards. No such  
87 regulations shall unreasonably restrict access to or the size of such  
88 receptacles for businesses, given the nature of the business and the  
89 volume of items designated for recycling in accordance with section 22a-  
90 241b, that such business produces in its normal course of business,  
91 provided nothing in this section shall be construed to prohibit such  
92 regulations from requiring the screening or buffering of such receptacles  
93 for aesthetic reasons. Such regulations shall not impose conditions and  
94 requirements on manufactured homes having as their narrowest  
95 dimension twenty-two feet or more and built in accordance with federal  
96 manufactured home construction and safety standards or on lots  
97 containing such manufactured homes which are substantially different  
98 from conditions and requirements imposed on single-family dwellings  
99 and lots containing single-family dwellings. Such regulations shall not  
100 impose conditions and requirements on developments to be occupied  
101 by manufactured homes having as their narrowest dimension twenty-  
102 two feet or more and built in accordance with federal manufactured  
103 home construction and safety standards which are substantially  
104 different from conditions and requirements imposed on multifamily  
105 dwellings, lots containing multifamily dwellings, cluster developments  
106 or planned unit developments. Such regulations shall not prohibit the  
107 continuance of any nonconforming use, building or structure existing at  
108 the time of the adoption of such regulations or require a special permit  
109 or special exception for any such continuance. Such regulations shall not  
110 provide for the termination of any nonconforming use solely as a result  
111 of nonuse for a specified period of time without regard to the intent of  
112 the property owner to maintain that use. Such regulations shall not  
113 terminate or deem abandoned a nonconforming use, building or  
114 structure unless the property owner of such use, building or structure  
115 voluntarily discontinues such use, building or structure and such  
116 discontinuance is accompanied by an intent to not reestablish such use,  
117 building or structure. The demolition or deconstruction of a

118 nonconforming use, building or structure shall not by itself be evidence  
119 of such property owner's intent to not reestablish such use, building or  
120 structure. Unless such town opts out, in accordance with the provisions  
121 of subsection (j) of section 8-1bb, such regulations shall not prohibit the  
122 installation of temporary health care structures for use by mentally or  
123 physically impaired persons in accordance with the provisions of  
124 section 8-1bb if such structures comply with the provisions of said  
125 section. Any city, town or borough which adopts the provisions of this  
126 chapter may, by vote of its legislative body, exempt municipal property  
127 from the regulations prescribed by the zoning commission of such city,  
128 town or borough; but unless it is so voted municipal property shall be  
129 subject to such regulations.

130 (b) In any municipality that is contiguous to Long Island Sound the  
131 regulations adopted under this section shall be made with reasonable  
132 consideration for restoration and protection of the ecosystem and  
133 habitat of Long Island Sound and shall be designed to reduce hypoxia,  
134 pathogens, toxic contaminants and floatable debris in Long Island  
135 Sound. Such regulations shall provide that the commission consider the  
136 environmental impact on Long Island Sound of any proposal for  
137 development.

138 (c) In any municipality where a traprock ridge, as defined in section  
139 8-1aa, or an amphibolite ridge, as defined in section 8-1aa, is located the  
140 regulations may provide for development restrictions in ridgeline  
141 setback areas, as defined in said section. The regulations may restrict  
142 quarrying and clear cutting, except that the following operations and  
143 uses shall be permitted in ridgeline setback areas, as of right: (1)  
144 Emergency work necessary to protect life and property; (2) any  
145 nonconforming uses that were in existence and that were approved on  
146 or before the effective date of regulations adopted under this section;  
147 and (3) selective timbering, grazing of domesticated animals and  
148 passive recreation.

149 (d) Any [advertising] sign or billboard that is not equipped with the

150 ability to calibrate brightness or illumination shall be exempt from any  
151 municipal ordinance or regulation regulating such brightness or  
152 illumination that is adopted by a city, town or borough after the date of  
153 installation of such [advertising] sign or billboard pursuant to  
154 subsection (a) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	8-2

**Statement of Purpose:**

To authorize municipal zoning commissions to regulate the height, size, location, brightness and illumination of all signs.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*